



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 7

11201 Renner Boulevard  
Lenexa, Kansas 66219

**JUL 27 2016**

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Article Number: 7014 1200 0000 6126 5834

Mr. Tony McDowell  
Plant Manager  
Siemens Energy, Inc.  
2597 Highway 61  
Fort Madison, Iowa 52627

RE: Siemens Energy, Inc.  
Fort Madison, Iowa  
RCRA ID No.: IAD042450304

Dear Mr. McDowell:

Letter of Warning/Request for Information

On August 19, 2014, a representative of the U.S. Environmental Protection Agency inspected your facility. The inspection was conducted under the authority of Section 3007 of the Resource Conservation and Recovery Act.

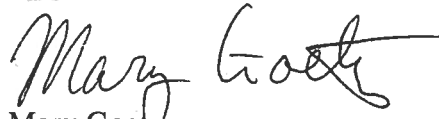
My staff has reviewed the inspection report and your August 28, 2014, response to the Notice of Preliminary Findings. Based on our review, we have determined that violations of RCRA were documented. We are requesting additional information regarding your facility's compliance status. Enclosed is a list of violations, a list of questions and/or requested information, and instructions to be used in providing your response. Please carefully read and follow these instructions. Your response to this request in accordance with the instructions is required by Section 3007 of RCRA and substantial penalties may result from not complying. Please note that the EPA reserves its right to pursue appropriate enforcement actions, including penalties, for violations discovered as a result of the inspection, regardless of whether the violations were subsequently corrected.



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Within 30 calendar days of receiving this letter, please mail your response to: Rebecca Wenner, U. S. Environmental Protection Agency, 11201 Renner Boulevard, Lenexa, Kansas 66219. To request an extension of the time limit, follow the instructions in the enclosure. Please direct all questions to Rebecca Wenner, of my staff, at (913) 551-7644.

Sincerely,

A handwritten signature in black ink, appearing to read "Mary Goetz", written in a cursive style.

Mary Goetz

Chief

Waste Enforcement and Materials Management  
Branch

Air and Waste Management Division

Enclosures

cc: Amie Davidson, Supervisor, Contaminated Sites Section  
Iowa Department of Natural Resources

List of Violations  
Siemens Energy Inc.  
Fort Madison, Iowa  
RCRA ID No.: IAD042450304

1. 40 CFR 273.14(a) – Failure to label a universal waste container with the words “universal waste batteries” or “waste batteries” or “used batteries”.
2. 40 CFR 273.15(c) – Failure to date or track a universal waste to show length of time of accumulation.
3. 40 CFR 262.11 – Failure to accurately determine if a waste is hazardous waste.

List of Requested Information  
Siemens Energy Inc.  
Fort Madison, Iowa  
RCRA ID No.: IAD042450304

1. Please identify all persons responding to the questions in this letter. Please include names, titles, and telephone numbers, if different from the facility's telephone number.
2. In reference to Violation No. 3, an accurate hazardous waste determination must be conducted on your waste paint related material. The inspector noted that the waste codes for this waste were different on your biennial report and your hazardous waste manifests. Please provide the following for the waste paint related material waste stream:
  - a. A list of the correct waste codes for this waste stream.
  - b. A legible copy of all manifests that you have generated since completing your updated waste determination subsequent to the August 19, 2014 inspection.
  - c. A legible copy of your 2015 biennial report.

### 3007 RESPONSE INSTRUCTIONS

- \* Identify the Person(s) responding to this request on your behalf.
- \* Address each numbered item separately, and precede each answer with the number of the item to which it responds.
- \* For each numbered item, identify all documents consulted, examined, or referred to in the preparation of the answer, or that contain information responsive to the requested item. Provide true, accurate, and legible copies of all such documents. (If information responsive to an item is available but there are no relevant source documents, you must still provide the information.)
- \* For each document provided, indicate on the document (or in some similar manner) the number of the item to which it responds.
- \* For each numbered item, identify all persons consulted in the preparation of the answer.
- \* For purposes of this request, the term "you" or "your" refers to the company, corporation and any officer, principal, agent employee, or any other person(s) associated in any capacity.
- \* If information responsive to a requested item is not in your possession, identify the person(s) from whom the information may be obtained.
- \* If information that is not known or available at the time you make your response later becomes known or available to you, you must supplement your response.
- \* If, at any time after you submit your response, you find that any part of the information you submitted is incomplete, false, or misrepresents the truth, you must notify the EPA immediately.
- \* You must provide the requested information even though you consider it confidential information or trade secrets. If you want to make a confidentiality claim covering part or all of the information submitted, in accordance with 40 CFR 2.203(b), you must do so by placing on (or attaching to) the information, at the time it is submitted to EPA, a cover sheet, stamped or typed legend that identifies the material with words such as "trade secret," "proprietary," or "company confidential." Please make such claims in a bold, clearly identifiable manner, such that immediately upon viewing the information it is evident that a claim of confidentiality has been made.
- \* The EPA will disclose this information only to the extent and by the means described in 40 CFR Part 2, Subpart B., provided that it qualifies as confidential business information.
- \* A request for an extension to the time limit for responding must be in writing and must be postmarked within five (5) calendar days of receipt of this information request. Address it to the person identified in the cover letter to receive your response.
- \* Copies of the Code of Federal Regulations may be obtained from the U.S. Government Bookstores or on the Internet at [www.epa.gov/epahome/cfr40.htm](http://www.epa.gov/epahome/cfr40.htm).
- \* This request for information is not subject to the approval requirements of the Paperwork Reduction Act of 1980.
- \* The EPA encourages you to conserve resources. Suggested methods include use of recycled paper, printing on both sides (duplex printing), and when possible submitting documents electronically (i.e., email or compact discs). If hard copy submittals are necessary, please do not submit documents in binders.

Not responding to this information request within the stated time limit and in accordance with these instructions may subject your facility to an enforcement action which could include the imposition of penalties of up to \$37,500 per violation, per day of continued noncompliance. Providing false, fictitious, or fraudulent statements or representations could lead to criminal penalties.

